

REMARKS

Only independent claims 1 and 20 are rejected as well as dependent claims 2, 4, and 5. Claims 1 and 20 have overlapping language and have been similarly amended to indicate the member that lands on the seat and obstructs to allow pressure buildup in a first position is delivered through the tubular.

Claims 1 and 20 are rejected as anticipated by Hill USP 3,850,238. The Examiner calls the member 21 and the seat 27. Based on that “creative” reading of the reference on claim 1 or 20 the Examiner is forced to accept FIG. 3 as the first position because in claims 1 or 20 the first position has the member on the seat and the tubular obstructed. In Hill the tubular 11 is only obstructed when seat 27 is against the housing 21.

While Hill has a movement regulation device in the form of orifice 49 until that orifice is bypassed when groove 47 is positioned alongside, it is clear that such a movement regulation is only operative when the seat 27 is moving toward the housing 21 and not in the other direction. Going from the FIG. 3 to the FIG. 2 position in Hill as the Examiner must do in following the language of claim 1 or 20 there is a clear bypass of the orifice (i.e. the movement regulation device) so that the valve of Hill can open fast. This happens because flapper 51 opens when the pressure in chamber 35 is opening the valve. The result is rapid flow through passage 50 with no restriction as orifice 49 is bypassed.

Because of the years of prosecution and a strong urge to get the rest of the claims allowed, Applicants anticipate the Examiner to argue that any flow through any passage creates pressure drop and for that reason in Hill even with a fully open bypass the rate of opening of the valve could maybe possibly be “regulated”. Instead of quibbling about this issue, Applicants simply amend both claims to state that the member is delivered through the tubular and this totally prevents the Examiner from reading the member as beveled surface 21. Beveled surface 21 is a part of a housing 20 that is threaded to the tubular string 11 when it is made up. Housing 21 never gets to contact seat 27 because it passed through the tubular 11 string 11.

Further as to claim 20, Hill does not disclose the use of non-metallic parts for the seat (which actually is the bevel surface 21) or the movement regulating device 49, 50 and 51 and cannot anticipate claim 20 for this additional reason.

Allowance of all the claims is respectfully requested.

Respectfully submitted,

09/17/2009

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